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FOR G/TIP, EAP/MLS and EAP/RSP

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TAGS: [PHUM](#) [PREL](#) [KWMN](#) [KJUS](#) [CB](#)  
SUBJECT: CHHAY HOUR II JUDGE REMOVED

REF: A. PHNOM PENH 961

1B. PHNOM PENH 207

11. (U) Summary: This weekend, a Cambodian Royal Decree removed Appeals Court President Ly Vouch Leng from her position for taking bribes to overturn a prison sentence for managers of the Chhay Hour II brothel. The development comes at the heels of Royal Government of Cambodia (RGC) commitments to punish corrupt judges involved with the Chhay Hour II case. TIP watchers may be celebrating while Khmer Rouge Tribunal observers worry: one of the KRT co-investigating judges is slated to take over the Appeals Court presidency. End Summary.

CHHAY HOUR II JUDGE REMOVED  
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12. (SBU) King Norodom Sihamoni issued a Royal Decree on August 9 removing Ly Vouch Leng from her positions as president of the Cambodian Appeals Court and member of the Supreme Council of the Magistracy. The move follows a conversation the Ambassador had with Minister of Interior Sar Kheng in July (Ref A), during which Sar Kheng detailed the RGC's commitment to cracking down on the judges who released the Chhay Hour II case perpetrators (Ref B).

13. (U) According to Cambodian National Police Deputy General Commissioner Sok Phal, in March, the Ministry of Interior (MOI) created a committee to launch an inter-ministerial investigation into claims of corruption that led to overturning on appeal the guilty verdict against two Chhay Hour II convicts. Sok Phal served as head of the committee. He stated that the committee found evidence that Ly Vouch Leng accepted more than USD 30,000 in bribes from Chhun Poch, the father of Chhay Hour II perpetrator Te Pao Ly. On August 8, police arrested Chhun Poch on bribery charges and he is now in pretrial detention. Removed from her high-power position at the Appeals Court, Ly Vouch Leng has been transferred to the Ministry of Justice and will likely face criminal charges related to corruption.

14. (U) On Aug. 12, Prime Minister Hun Sen spoke about trafficking in persons (TIP) and the Chhay Hour II investigation during his speech launching Cambodia's new criminal procedure code. During the speech, Hun Sen said TIP is included in the criminal code making it easier for courts to convict and jail human traffickers. He warned that trials "should not be conducted like the case of Chhay Hour II" in which the Appeals Court freed TIP criminals who were previously convicted by another court. He also said that "Chhay Hour II is not finished" but did not give details on this statement.

IMPACT ON KHMER ROUGE TRIBUNAL  
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15. (SBU) The Royal Decree also appointed You Bunleng, a Khmer Rouge Tribunal (KRT) co-investigating judge, to take Ly Vouch Leng's place as Appeals Court president and member of the Supreme Council of the Magistracy. As of August 13, You Bunleng told reporters he had not

yet decided whether to leave his position with the KRT. According to Center for Social Development Director Theary Seng, the recent, important progress of the KRT may lose momentum if there is a change in the make-up of its co-investigating judges. However, she stated that You Bunleng has the potential to be an excellent Appeals Court president and will be a good addition to the Supreme Council of the Magistracy.

16. (U) Comment: The removal of Ly Vouch Leng is a strong signal of RGC commitment to addressing the systematic flaws which allowed the apparently covert (and clearly inappropriate) Appeals Court reversal of the Chhay Hour II convictions, and to combat TIP. We welcome news that the RGC used its own devices to fruitfully investigate an important trafficking in persons and corruption case -- and to act on it. Post will follow up on the possible ramifications for the work of the KRT co-investigating judges. End comment.

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